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Prepared By and Return To: L. Holden Reaves, Esq. Reaves Law, PLLC PO Box 53187 Fayetteville, NC 28305

# SIXTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE MIDLANDS AT BEDFORD, THE HIGHLANDS AT BEDFORD, AND THE EASTLANDS AT BEDFORD

(Part of the Bedford Community)

THIS SIXTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (this "Amendment") is made and entered into, as of the date set forth in the below notary acknowledgment, by **H&M** Bedford LLC, a Delaware limited liability company (the "Declarant").

#### WITNESSETH:

WHEREAS, Transferor is the named "Declarant" (by transfer of Declarant rights) in that certain Declaration of Covenants, Conditions and Restrictions for The Midlands at Bedford and The Highlands at Bedford recorded in Book 1116, Page 570, as amended by Assignment and Transfer of Declarant Rights recorded in Book 1179, Page 426, as amended by First Amendment in Book 1182, Page 988, as amended by Second Amendment in Book 1215, Page 909, as amended by Third Amendment in Book 1252, Page 844, as amended by Fourth Amendment in Book 1279, Page 540, as amended by Fifth Amendment in Book 1320, Page 590, Hoke County, NC Registry (together, the "Declaration");

WHEREAS, pursuant to Article III, Section 2 of the Declaration, the Declarant reserved the unilateral right to annex additional land into Bedford residential covenant scheme (said scheme having been created by the Declaration), and to subject such

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additional land to the terms of the Declaration; and

WHEREAS, the Declarant hereby desires to exercise such annexation right, as set forth herein.

NOW, THEREFORE, pursuant to its rights as set forth in Article III, Section 2 of the Declaration (as well as pursuant to rights as may be found elsewhere in the Declaration), the Declarant hereby declares and amends the Declaration, as follows:

- 1. The above recitals are incorporated herein by reference;
- 2. The land described in Exhibit A attached hereto and incorporated herein by reference is hereby annexed into the Bedford residential covenant scheme, and is hereby made subject to the terms of the Declaration (the "Annexed Land". (A map of the Annexed Land is attached hereto as Exhibit B).
- 3. Except as modified hereinabove, the Declaration shall remain in full force and effect; and the terms and conditions of the Declaration are hereby ratified and reaffirmed in their entirety. All capitalized terms used herein, which are not expressly defined herein, shall have the meanings attributed to the in the Declaration.

[The Remainder of This Page Intentionally Left Blank; Signature Page Attached Hereto]

IN WITNESS WHEREOF, the undersigned Declarant has executed this Amendment as of the date set forth in the below notary acknowledgment

# **DECLARANT:**

H&M Bedford LLC

By: Ralph Huff Holdings LIC, Menber Manager

By:

D. Ralph Huff III, Manager

# STATE OF NORTH CAROLINA

#### COUNTY OF CUMBERLAND

I certify that the following person personally appeared before me this day, each acknowledging to me that he signed the foregoing document for the purpose stated therein and in the capacity indicated; D. Ralph Huff III, as Manager of Ralph Huff Holdings, LLC, a North Carolina limited liability company, said company acting in its capacity as Member/ Manager of H&M Bedford LLC, a Delaware limited liability company.

	Date:	Apri	1 25.	9099
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Official Signature of Notary:

Notary's Printed Name: Amy Jarman

My commission expires: 7 4 33

[Affix Notary Seal or Stamp]

COMMISSION EXPIRES
7/4/2023

PUBLIC

AND COUNTRIES

# **EXHIBIT A**

March 4, 2022

Legal Description 54.614 Acres H&M Bedford, LLC

BEGINNING at an existing concrete monument located in the western right of way margin of McDougald Drive; said existing concrete monument being the northern most corner of the Pelican Property Holdings, LLC and Great Oaks Property Holdings, LLC property as shown in Deed Book 982 Page 496 and Deed Book 372 Page 162; Said existing concrete monument being the southeast corner of Lot 234 as shown on plat entitled, "McDougald Downs, Section Five" as recorded in Plat Cabinet 337 Map 5 of the Hoke County, North Carolina Registry;

AND RUNNING THECE with the western right of way margin of McDougald Drive; S 04°50'59" W a distance of 112.95' to an existing concrete monument located at the southern end of McDougald Drive;

Thence S 86°11'30" E a distance of 281.39' to an existing re-bar located at the southeast corner of Lot 233 as shown on plat entitled, "McDougald Downs, Section Five" as recorded in Plat Cabinet 337 Map 5;

Thence with the western line of Lots 203 to 208 as shown on plat entitled, "McDougald Downs, Section Nine, Part Five" as recorded in Plat Cabinet 2-39 Map 08 and Lots 186 to 191 as shown on plat entitled, "Colonial Charters, Section Five" as recorded in Plat Cabinet 2-54 Map 02, S 01°17'34" W a distance of 976.15' to a existing re-bar located in the western line of Lot 191;

Thence with the western line of Lots 191 to 197 as shown on plat entitled, "Colonial Charters, Section Five" as recorded in Plat Cabinet 2-54 Map 02, S 04°22'26" W a distance of 612.17' to a set concrete monument located in the western line of Lot 197; Said set concrete monument being located a tie line of N 04°22'26" E a distance of 142.78' from an existing concrete monument;

Thence leaving said "Colonial Charters, Section Five" and with the eastern wetland margin of Puppy Creek as follows; S 49°21'18" W a distance of 76,51' to a point;

Thence S 32°49'51" W a distance of 29.45' to a point;

Thence S 42°51'07" W a distance of 17.70' to a point;

Thence S 29°03'59" W a distance of 35.80' to a point; Thence S 81°08'52" W a distance of 71.72' to a point;

Thence S 76°45'51" W a distance of 39,08' to a point;

Thence S 76°45'51" W a distance of 39.08' to a point; Thence N 81°33'33" W a distance of 46.67' to a point;

Thence N 68°03'54" W a distance of 49.94' to a point;

Thence N 68°18'38" W a distance of 30,50' to a point;

Thence N 69°37'47" W a distance of 33.91'to a point; Thence S 54°14'09" W a distance of 59.56'to a point; Thence S 56°58'00" W a distance of 42.43'to a point; Thence S 62°18'06" W a distance of 36,86'to a point; Thence S 45°15'59" W a distance of 74.09'to a point; Thence S 12°31'15" W a distance of 58.33'to a point; Thence S 01°30'43" W a distance of 57.23'to a point; Thence S 22°14'10" W a distance of 72.61'to a point; Thence N 88°44'23" W a distance of 62.65'to a point; Thence S 74°03'17" W a distance of 28.14'to a point; Thence S 13°58'28" W a distance of 61,52'to a point; Thence S 01°04'12" E a distance of 44.98'to a point; Thence S 74°29'20" W a distance of 50.44'to a point; Thence N 68°47'49" W a distance of 69.58'to a point; Thence N 42°43'02" W a distance of 111.70'to a point; Thence N 64°34'02" W a distance of 110.15'to a point; Thence S 81°02'35" W a distance of 58.31'to a point; Thence N 68°49'07" W a distance of 75.56'to a point; Thence S 57°02'51" W a distance of 93,05'to a point; Thence N 77°19'47" W a distance of 54.61'to a point; Thence N 07°12'43" W a distance of 48.08'to a point; Thence N 02°53'54" E a distance of 50,67'to a point; Thence N 46°46'28" E a distance of 55.94'to a point; Thence N 36°51'11" E a distance of 33,22'to a point; Thence N 32°17'17" E a distance of 56.38'to a point; Thence N 10°14'02" E a distance of 59.69'to a point; Thence N 46°42'28" W a distance of 27,21'to a point; Thence N 10°13'45" W a distance of 92,46'to a point; Thence N 07°39'45" W a distance of 48.88'to a point; Thence N 04°37'08" W a distance of 45.39'to a point; Thence N 76°40'07" W a distance of 198.34'to a point; Thence N 12°35'38" W a distance of 87.88'to a point; Thence N 19°41'03" W a distance of 159.71'to a point; Thence N 53°00'17" W a distance of 55.59'to a point; Thence N 61°51'58" W a distance of 32,10'to a point; Thence N 35°01'26" W a distance of 36.71'to a point; Thence N 32°03'25" E a distance of 44.63'to a point; Thence N 70°10'13" E a distance of 72.19'to a point; Thence N 83°32'48" E a distance of 33.64'to a point; Thence N 77°46'41" E a distance of 80.19'to a point; Thence N 34°06'19" E a distance of 102.85'to a point; Thence N 37°13'23" E a distance of 51.71'to a point; Thence N 34°17'30" E a distance of 88,93'to a point; Thence N 66°12'35" E a distance of 18.45'to a point; Thence N 37°36'41" E a distance of 27.56'to a point; Thence N 23°54'14" E a distance of 28.61'to a point;

Thence N 51°09'38" W a distance of 17.89'to a point; Thence N 17°55'37" E a distance of 20.97'to a point; Thence N 36°08'44" W a distance of 29.18'to a point; Thence N 10°07'47" E a distance of 23.72'to a point; Thence N 70°43'56" W a distance of 18,02'to a point; Thence N 06°43'06" W a distance of 15.86'to a point; Thence N 75°26'58" W a distance of 14.37'to a point; Thence N 40°25'52" W a distance of 41.60'to a point; Thence N 20°00'18" W a distance of 36.66'to a point; Thence N 25°54'40" W a distance of 51.49'to a point; Thence N 32°38'38" W a distance of 35.46'to a point; Thence N 08°44'18" W a distance of 42.45'to a point; Thence N 12°36'44" W a distance of 31.77'to a point; Thence N 29°01'57" E a distance of 37.23'to a point; Thence N 12°40'04" W a distance of 40.56'to a point; Thence N 33°08'13" E a distance of 30,28'to a point; Thence N 23°21'06" E a distance of 29.88'to a point; Thence N 14°55'45" E a distance of 36.63'to a point; Thence N 36°02'51" E a distance of 68.61'to a point; Thence N 49°14'54" E a distance of 66.19'to a point; Thence N 57°50'06" E a distance of 42.13'to a point; Thence S 78°13'28" E a distance of 34.47'to a point; Thence S 85°15'35" E a distance of 34.21'to a point; Thence S 82°01'06" E a distance of 31.21'to a point; Thence N 82°40'19" E a distance of 30.91'to a point; Thence N 78°55'40" E a distance of 34.44'to a point; Thence N 36°23'59" E a distance of 32.07'to a point; Thence N 16°11'33" E a distance of 41.55'to a point; Thence S 79°42'41" E a distance of 14.83'to a point: Thence N 49°17'48" E a distance of 20.08'to a point; Thence N 82°01'55" E a distance of 53.59'to a point; Thence N 38°40'14" E a distance of 34.51'to a point; Thence N 75°58'16" E a distance of 26.28'to a point; Thence N 59°03'35" E a distance of 35.79'to a point; Thence S 86°54'19" E a distance of 26.71'to a point; Thence N 66°43'47" E a distance of 25.86'to a point; Thence S 63°15'00" E a distance of 42.40'to a point; Thence S 67°32'58" E a distance of 26.52'to a point; Thence S 54°28'52" E a distance of 19.61'to a point; Thence S 71°37'17" E a distance of 49.17'to a point; Thence S 54°19'54" E a distance of 42.09'to a point; Thence S 77°42'05" E a distance of 41.14'to a point; Thence S 82°37'44" E a distance of 23.03'to a point; Thence S 80°57'35" E a distance of 29.50'to a point;

Thence S 14°49'01" E a distance of 13.81'to a point; Thence N 70°54'45" E a distance of 16.38'to a point; Thence N 00°28'00" E a distance of 38.68'to a point; Thence N 77°55'35" W a distance of 49.55'to a point; Thence N 53°02'04" W a distance of 74.30'to a point; Thence N 11°19'52" W a distance of 38.96'to a point; Thence N 09°43'37" W a distance of 31.45'to a point; Thence N 51°32'04" W a distance of 60.36'to a point; Thence N 36°18'13" W a distance of 44.29'to a point; Thence N 10°01'24" E a distance of 22.34'to a point;

Thence N 26°50'35" W a distance of 5.25'to an existing re-bar located in the northern line of the Pelican Property Holdings, LLC and Great Oaks Property Holdings, LLC property as shown in Deed Book 982 Page 496 and Deed Book 372 Page 162;

Said existing re-bar being the southwest corner Lot 236 as shown on plat entitled, "McDougald Downs, Section Five" as recorded in Plat Cabinet 337 Map 5;

Thence the southern line of Lots 236 to 234, N 85°12'55" E a distance of 438.91 to

The PLACE AND POINT OF BEGINNING.

Containing 54.614 acres, more or less as shown in Deed Book 982 Page 496 and Deed Book 372 Page 162 of the Hoke County, North Carolina Registry

Prepared by Moorman, Kizer & Reitzel, Inc., Fayetteville, North Carolina.

# EXHIBIT B

[Attach Map of Annexed Land]

